

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Case No. 3:14-cv-00602-RJC-DSC

IBRAHIM KHALIL,

Plaintiff,

v.

NATIONAL LIFE GROUP a/k/a
NATIONAL LIFE INSURANCE
COMPANY a/k/a LIFE
INSURANCE COMPANY OF
THE SOUTHWEST,

Defendant.

ORDER

THIS MATTER is before the Court on “Plaintiff’s Motion to Quash Defendants [sic] Medical Subpoenas” (document #14) and “Defendants’ Response in Opposition ...” (document #15).

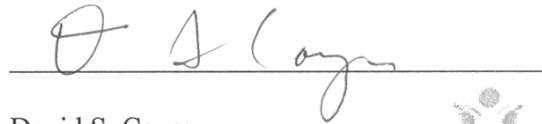
Plaintiff’s Motion is untimely. Plaintiff received notice of the Subpoenas on January 30, 2015. Plaintiff did not file the Motion to Quash until March 2, 2015, well beyond the Subpoenas’ February 23, 2015 return date. Rule 45 of the Federal Rules of Civil Procedure requires that a motion to quash be “timely.” F.R.C.P. 45(d)(3). To be timely, a motion to quash must be made before the return date set forth in the subpoena. Laschkewitsch v. Lincoln Life and Annuity Distributors, Inc., No. 5:13–CV–315–BO, 2014 WL 1159923 * 1 (E.D.N.C. March 21, 2014) (“It is well settled that, to be timely, a motion to quash a subpoena must be made prior to the return date of the subpoena”).

For this and the other reasons stated in Defendants’ Response, the Motion is **DENIED**.

The Clerk is directed to send copies of this Order to the parties' counsel; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: April 2, 2015

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

